

REMARKS

Claims 1, 3 – 6 and 15 – 16 are rejected under 35 U.S.C. 102(b) as being unpatentable by Petros et al. (US 6,806,838).

35 U.S.C. 102(b) recites “ A person shall be entitled to a patent unless - ... (b) the invention was patented or described in a printed publication in this or a foreign country, more than one year prior to the date of the application for patent in the United States, ...”.

US 6,806,838 was first published as US 2004/0032373 A1 on 19 February 2004.

The subject application for patent was filed in the USPTO on 27 June 2003, almost 8 months before first publication of the 102(b) reference.

Accordingly, the Applicants submit that the forgoing rejection is not proper, and respectfully request that it be withdrawn.

Claims 2, 7 - 14 and 17 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over by Petros et al. (US 6,806,838).

Inasmuch as the above rejection based upon 35 U.S.C. 103(a) relies upon a single reference (US 6,806,838) and that reference is not properly citable prior art, the Applicants submit that the forgoing rejection is not proper, and respectfully request that it be withdrawn.

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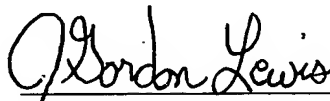
Conclusion

The Applicants submit that the sole reference relied upon to formulate all rejections of the outstanding Office Action is not prior art as defined by 35 U.S.C. 102(b) and respectfully request that said rejections be withdrawn and the application be allowed

If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the telephone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted.

A handwritten signature in cursive script, reading "J. Gordon Lewis", is written over a horizontal line.

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